

Ordinance No. 2.

Article 2.

An ordinance relating to the licenses, license tax rates, and the regulation of certain classes of business and certain shows, exhibitions and lawful games in the City of Lodi.

The Board of Trustees of the City of Lodi do ordain as follows:

Section 1.- The rates of license tax upon the kinds of business transacted and carried on in such city, and the shows, ~~w~~ exhibitions and lawful games carried on therein and hereinafter named and described, are hereby fixed and established at the sums payable at and for the times hereinafter stated: namely,

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| Auctioneer-<br>ing.    | Subdivision 1.- Auctioneering, for resident auctioneers \$32.00 per year, for itinerant auctioneers \$4.00 per day.  |
| Banking.               | Subdivision 2.- Banking, the sum of \$15.00 per quarter.   |
| Real Estate<br>Agents. | Subdivision 3.- Real Estate Agents, or any person who solicits for sale or attempts to sell any real or personal property other than his own, the sum of \$15.00 per quarter, provided that any person applying for a license hereunder must on making application therefor state in addition to other required facts the names of the persons interested in the firm, and the names of all persons to be employed as solicitors, and it shall be the duty of such persons to notify the Marshal of any changes made at any time in the firm or the employees. |
| Light<br>making, etc.  | Subdivision 4.- Gas making or selling or electric light producing or selling, or the furnishing of any light to consumers, or users thereof, the sum of \$7.50 per quarter.  |

*Refer*

Butchers.	Subdivision 5.- Resident butchers having an established place of business in the City of Lodi, for each shop or place of business the sum of \$8.00 per quarter. Itinerant butchers or venders of meat \$9.00 per quarter.
Fire Insurance.	Subdivision 6.- Fire Insurance, for each agent \$1.50 per quarter.
Life or Accident Insurance.	Subdivision 7.- Resident agents \$3.00 per quarter. Non-resident agent, \$5.00 per quarter.
Making and Selling Soda, etc.	Subdivision 8.- Making and selling soda, mineral or carbonated water for the wholesale trade \$6.00 per quarter.
Saloon Keeping.	Subdivision 9.- Liquor dealing; the keeping of a saloon or other place where intoxicating liquors, wine, or beer are dispensed in less quantities than one quart, or to be drunk on the premises where dispensed, for each bar or place where the same is dispensed the sum of \$100.00 per quarter.
Other Liquor dealing,	Subdivision 10.- The selling or dispensing such liquors at any other place or in any other manner, or for any other purpose than set forth in Subdivision 9, except by bonalide druggists, or except by a manufacturer of wine who manufactures wine in San Joaquin County and who sells his own product exclusively, or by a restaurant keeper as defined by Ordinance, the sum of \$15.00 per quarter.
Billiard Tables, etc.	Subdivision <del>Section</del> 11.- Keeping billiard tables, bagatelle tables or boards, or pool tables, or any other gaming device in a saloon or other place for use of patrons thereof, for each table or board, the sum of \$2.00 per quarter.
Bowling Alleys.	Subdivision 12.- Bowling Alleys, for each alley the sum of \$2.00 per quarter.

Hotels. Subdivision 39.- All persons who conduct or engage in the business of keeping any hotel, or tavern, in this City, shall procure and pay for licenses. therefor, quarterly in advance, as follows: Those hotels or taverns containing 20 rooms or more, are of the first class and shall pay \$6.00 per quarter. Those keeping hotels or taverns containing less than 20 rooms are of the second class, and shall pay \$2.00 per quarter.

Boarding House Keepers, Subdivision 40.- All persons not included in Subdivision 39 of this ordinance who conduct or engage in the business of furnishing meals to five or more persons for pay, are boarding house keepers, and shall pay a license tax of \$3.00 per quarter.

Dogs. Subdivision 41.- For every female dog the sum of \$3.00 per year; for every male dog the sum of \$1.00 per year.

Undertakers, Subdivision 42.- Undertakers, the sum of \$3.00 per quarter.

Gratuitous Licenses. Subdivision 43.- The Board of Trustees may by resolution permit any person to keep, conduct, or carry on any business or calling for which a license is required (except the liquor or saloon business) without payment of the license rate. Provided, in their judgment the misfortunes or physical infirmities of the applicant warrant such action on **their** part, or the interest of the City will be best subserved thereby. In all such cases a copy of the resolution, signed by the President of the Board of Trustees, and attested by the Clerk, shall be evidence of the exemption from payment of the license rate otherwise required.

Exceptions. When all receipts of any exhibition, concert, lecture, or entertainment is to be, or will be appropriated exclusively to any church, school, or religious or benevolent, or any other public or beneficial purpose of a local character within the City of Lodi, there shall be no license charge to the person or persons to conduct the same.

General.

In case of doubt or in case a business might belong to two or more classes the highest rate herein fixed shall be paid; where two or more distinct lines of business is carried on under the same management nothing herein shall be construed to preclude the taxing of each line of business separately, if in the judgment of the Board of Trustees the cause of justice demands it.

Section 2.- The word "person" as used in this ordinance is intended to include corporations, firms, and associations, as well as natural persons, and the requirements herein prescribed respecting such persons, whether owner,, employees, officers, agents, principals, servants, or assistants, and every such person interested in, engaged in, assisting in or in any way taking part in any of the acts herein referred to shall be responsible for the performance and liable for the non-performance of the acts herein required, until the same shall have been fully performed according to the terms of this ordinance.

Section 3.- Any person desiring a license to conduct any business enumerated in this ordinance shall apply to and receive from the Clerk a proper blank application and shall fill out and furnish all information required by the same, and furnish such further information and do and perform all other acts required by any City ordinance relating hereto.

It shall <sup>then</sup> be the duty of the City Clerk to issue a license under this ordinance for each person making such application and liable to pay a license hereunder duly signed by said Clerk, and state the amount of license thereon, the time for which the same is issued, and the character and location of the business, etc., for which the same is issued, and the name or names of the persons entitled to such license, and said City Clerk shall deliver such license to the City Marshal for collection, taking his receipt for the amount thereof, and the City Clerk, in stating the rate of license shall grade the same according to his best knowledge and information, and for that purpose

license issued for one class of business, etc., name: in this ordinance shall entitle the licensee to carry on any other class separately named, but a separate license must be had therefor.

The tax for monthly license in this ordinance provided, shall be due and payable to the City on the first of each month, in advance. The quarterly license in this ordinance provided for, shall be due and payable to the City on the first day of January, April, July, and October, in advance.

When the license herein provided is per week, the same shall be due and payable each week in advance.

When the license herein provided is per day, the same shall be due and payable each day in advance, and where such license is per year, the same shall be due and payable to the City at the time specified in the ordinance providing the same, and when not so specified, on the first day of April of each year. No greater or less amounts of money shall be charged or received for licenses so issued than is provided in this ordinance, and no license shall be sold or issued for any period of time other than is provided for in this ordinance.

Licenses to  
be exhibit-  
ed.

Section 5.- Every person Having a license under the provisions of this ordinance shall place and exhibit the same at all times while in force in some conspicuous part of his or her place of business, where patrons of said business may see the same when in the customary place for dealing with the persons carrying on such business.

Marshal to  
file com-  
plaints  
against per-  
sons, ect.,  
not obtain-  
ing licen-  
ses, etc.

Section 6.- It is hereby made a duty of the City Marshal to file or cause complaints to be filed against all persons, firms, or corporations violating any of the provisions of this ordinance.

General  
Provisions  
etc.,

Section 11.- It shall be unlawful for any person or persons whether as principal or principals, agent or agents, clerk, or clerks, employer or employees, either for themselves or any other person or bodies, corporate or otherwise, or as officers of corporations to commence, establish, maintain, or carry on any business or to make any show or exhibitio, or to open, play, or offer for play any game, or counsel or assist any of said acts or any act prohibited by this ordinance, without first having procured a license from said City so to do, and each and every day or fractional part of a day that any of said acts are done or suffered shall constitute a violation of this ordinance, and such person or persons, agent or agents, clerk or clerks, employer or employees, who shall for themselves or for any other person or persons do any of said acts, or counsel, aid, or assist, or knowingly and wilfully permit the same without first having procured a license when required herein, and any person who does any of the acts prohibited by this ordinance, or omits to do any act required thereby, or who engages in, or, in any manner assists in commencing or carrying on anything for which a license is required herein, when said license has not been issued and paid for as herein provided, whether he does so as principal, agent, servant, employee or otherwise, shall for each violation of this ordinance be deemed guilty of a misdemeanor, and upon conviction by any court having jurisdiction thereof shall be fined therefor in a sum not exceeding \$200.00 or be imprisoned for a term not exceeding 60 days, or shall suffer both fine and imprisonment in the discretion of the court, and the amount of such license shall be deemed a debt to the said City of Lodi, and any or all such persons, agents, clerks, employees, or bodies corporate, or any or them, shall be liable to an action in the name of the City of Lodi, in any court of competent jurisdiction for the amount of such license with costs of suit. Provided, that the payment of a license fee or charge by any person, shall be sufficient defense to any claim against any other person for the same license in any civil action therefor.

Section 12.- This ordinance shall take effect immediately on approval and publication.

Section 13.- This ordinance shall be published <sup>by printing</sup> by posting the same in three public places in the City of Lodi.

Section 14.- All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Passed and approved by the following vote:

Ayes: Trustees, *W. E. Lawrence, J. E. Blodgett, G. A. Rich, & J. A. W. W.*

Noes: *None*

At an adjourned regular meeting of the Board of Trustees held *the 28th day of March, 1907.*



*W. E. Lawrence*

President of the Board of  
Trustees of the City of Lodi.

*J. M. McMahon*  
City Clerk.